

**FILED**

**IN THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF ILLINOIS**

NOV 06 2007 <sup>10</sup>  
NOV 06 2007  
**MICHAEL W. DOBBINS**  
**CLERK, U.S. DISTRICT COURT**

CARD ACTIVATION TECHNOLOGIES, INC.,	)	07CV6289
	)	
Plaintiff,	)	JUDGE GUZMAN
	)	MAG. JUDGE COLE
v.	)	
	)	JURY DEMANDED
THE TJX COMPANIES, INC.,	)	
	)	
Defendant.	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

NOW COMES the Plaintiff, CARD ACTIVATION TECHNOLOGIES, INC., through its attorneys, ORUM & ROTH, LLC, and for its Complaint for Patent Infringement against the Defendant, THE TJX COMPANIES, INC. ("TJX") states:

**Jurisdiction**

1. This is a civil action for patent infringement, injunctive relief and damages arising under the United States Patent Act, 35 U.S.C. §1, *et. seq.* Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. §1331 and 1338 (a). Defendant, TJX, is a Delaware corporation. TJX is an apparel and home fashions department store chain. TJX owns and operates various retail stores including but not limited to T.J. Maxx stores throughout the United States and specifically within this judicial district. TJX is registered as a foreign corporation in Illinois. Defendant is subject to personal jurisdiction in this Court and is amenable to service of process in Illinois.
2. Venue lies in this District pursuant to 28 U.S.C. §1391(b) and (c), and 1400(b).

**Parties**

3. Plaintiff is a corporation incorporated under the laws of the state of Delaware, with its office in Chicago, Illinois.

4. TJX is a corporation organized under the laws of the state of Delaware. TJX operates stores selling, among other things, apparel and home fashions, in the United States and specifically in the Chicagoland area.

**Infringement**

5. Plaintiff is the owner of United States Patent No. 6,032,859 entitled "Method for Processing Debit Purchase Transactions Using a Counter-Top Terminal System", issued on March 7, 2000 ("859 Patent") and which is a valid and enforceable patent. A true and correct copy of the 859 Patent is attached hereto as Exhibit 1.
6. Defendant has directly infringed, induced infringement of, and contributorily infringed the 859 Patent and continues to do so by using, contributing to the use of and inducing others to use the methods claimed in the 859 Patent, and will further continue to do so unless enjoined by this Court.
7. Defendant's infringement is willful and deliberate, in that the Defendant has been informed of the 859 Patent but yet the Defendant continues to directly and indirectly infringe the 859 Patent.

**Prayer for Relief**

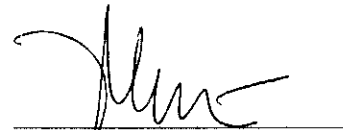
WHEREFORE, Plaintiff prays that judgment be entered against the Defendant, TJX, and requests the following relief:

- a. That the Defendant be held to have infringed the 859 Patent;
- b. That the Defendant and its subsidiaries, affiliates, franchisees, successors, assigns, officers, agents, servants, employees, customers, attorneys and all persons acting in concert and participation with them or any of them, be temporarily and preliminarily enjoined during the pendency of this action, and subsequently permanently enjoined,

from directly infringing, contributing to the infringement of and inducing infringement of the 859 Patent without express written authority of the Plaintiff.

- c. That the Defendant be directed to fully compensate Plaintiff for any and all damages attributable to Defendants' infringement of the 859 Patent in an amount to be proven at trial;
- d. That this case be deemed exceptional;
- e. That any damage award be trebled;
- f. That Plaintiff be awarded its reasonable attorney's fees;
- g. That Plaintiff be awarded costs of suit and an assessment of interest; and
- h. That Plaintiff has such other, further and different relief as this Court deems proper under the circumstances.

Respectfully submitted,

  
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Attorney for Plaintiff

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